

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOEL GUILLERMO CHAVEZ-
QUEZADA (BOP #63475080),

Plaintiff,

v.

EFRAIN DE JESUS, *et al.*,

Defendants.

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CIVIL ACTION NO. H-06-1650

**ORDER GRANTING MOTION
TO PROCEED ON APPEAL IN FORMA PAUPERIS**

On May 19, 2006, this Court dismissed the civil rights complaint filed by Joel Guillermo Chavez-Quezada (BOP #63475080), who is presently incarcerated at the United States Penitentiary - Hazelton in Bruceton Mills, West Virginia. Chavez-Quezada has filed a notice of appeal and he seeks leave to proceed on appeal *in forma pauperis*. For appeals filed on or after April 10, 2006, such as the one in this case, the appellate fee is \$455.

After considering the documentation supplied by the plaintiff in support of his motion, the Court **ORDERS** as follows:


1. The application for leave to proceed *in forma pauperis* (Doc. #13) is **GRANTED**.
2. The plaintiff is assessed an initial partial filing fee of \$5.00. The agency having custody of the plaintiff shall collect this amount from the plaintiff's inmate trust fund account or institutional equivalent, when funds are available, and forward it to the Court.

3. Thereafter, the plaintiff shall pay \$450.00, the balance of the filing fees, in periodic installments as required by 28 U.S.C. § 1915(b). The agency shall collect this amount from the plaintiff's inmate trust account or institutional equivalent and forward it to the Court.
4. The plaintiff is responsible for signing all consents and other documents required by the agency having custody of plaintiff to authorize the necessary withdrawal from the plaintiff's inmate trust account.

The Clerk shall provide a copy of this order to the parties.

The Clerk shall also provide a copy of this order to USP - Hazelton, United States Penitentiary, Attn: Warden's Office, P.O. Box 2000, Bruceton Mills, WV 26525, by regular mail and by fax: (304) 379-5039.

SIGNED at Houston, Texas, on **July 27, 2006**.



Nancy F. Atlas
United States District Judge